

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TATYANA RUZHINSKAYA, as Administratrix
of the Estate of MARINA ROCHNIAK, Deceased,
on behalf of herself and all others similarly
situated,

Plaintiff,

v.

HEALTHPORT TECHNOLOGIES, LLC

Defendant.

Case No.: 1:14-cv-02921 (PAE)

ECF Case

Electronically Filed

**NOTICE OF PLAINTIFF'S
CROSS-MOTION FOR PARTIAL
SUMMARY JUDGMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, upon the parties' stipulations contained in their Revised [Proposed] Joint Pre-Trial Order (Dkt. #291); the parties' Joint Statement of Undisputed Facts (Dkt. #321); the accompanying Local Rule 56.1 Statement, the accompanying Declaration of Mathew P. Jasinski, and the exhibits attached thereto; the accompanying Memorandum of Law; and upon all prior proceedings, pleadings, and filings in this action, Plaintiff Tatyana Ruzhinskaya, as Administratrix of the Estate of Marina Rochniak, and on behalf of the members of the Class, will move this Court at the United States Courthouse for the Southern District of New York, 40 Foley Square, Courtroom 1305, New York, New York, before the Honorable Paul. A. Engelmayer, United States District Judge, on a date and time to be determined by the Court, for an order finding that Defendant HealthPort Technologies, LLC charged Plaintiff and the Class more than the "costs incurred" for copies of medical records, in violation of New York Public Health Law 18, and granting partial summary judgment, pursuant to Federal Rule of Civil

Procedure 56(a) in favor of Plaintiffs as to HealthPort's liability for the claims set forth in Counts I and III of the Second Amended Complaint (Dkt. #39).

Please take further notice that, in accordance with the schedule set by the Court (Dkt. #316), Defendant's response, if any, must be filed and served no later than October 27, 2017.

Dated: September 29, 2017
Hartford, Connecticut

Respectfully submitted,

By: /s/ Mathew P. Jasinski
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Mathew P. Jasinski
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CERTIFICATE OF SERVICE

I hereby certify that September 29, 2017, a copy of the foregoing Notice of Plaintiff's Cross-Motion for Partial Summary Judgment was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF system.

/s/ Mathew P. Jasinski

Mathew P. Jasinski